DOCUMENT RESUME

ED 188 576 IR 008 340

AUTHOR Johansen, Anna
TITLE AV Media in Library Legislation.
PUB DATE Aug 79
NOTE 11p.: Paper presented at the Conference of the International Federation of Library Associations and Institutions (45th, Copenhagen, Denmark, August 27-September 1, 1979).

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS *Audiovisual Aids: Foreign Countries: *Legislation: *Libraries: *Library Collections: Library Materials: *Nonprint Media: Public Libraries: School Libraries
IDENTIFIERS *Scandinavia

ABSTRACT

This review of the manner in which audiovisual materials are treated in current national library legislation in the Scandinavian countries examines public library legislation enacted in Denmark, Norway, and Finland, and school library legislation in Denmark in terms of their provision for and funding of audiovisual materials. Basic considerations for library legislation concerned with library collections are suggested. (RAA)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

391 SCHD 1A
391 AVM 11E

IFLA COUNCIL 1979

Division: Libraries Serving the General Public

Section: School Libraries/Round Table: Audio-Visual Media

U S DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

ED188576

AV Media in Library Legislation

by

Anna Johansen
Library Inspector,
The State Inspection of Public Libraries,
Copenhagen, Denmark.

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY
Carol Kucen Henry

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

IR008340

IFLA Council 1979

Joint meeting between the Working Group on Audio-Visual Media and the Section of School Libraries.

AV Media in Library Legislation

by

Anna Johansen
Library Inspector, The State Inspection of Public Libraries. Copenhagen. Denmark.

THE PUBLIC LIBRARIES

In 1949, UNESCO issued a manifest on public libraries. It is stated therein: "The complete public library should provide books, pamphlets, magazines, newspapers, maps, pictures, films, music scores and recordings, and give guidance in their use". These thoughts recur in the revised UNESCO-manifest of 1972, in which it is stated: "Since the printed word has been for centuries the accepted medium for the communication of knowledge, ideas and information, books, periodicals and newspapers remain the most important resources of public libraries.

"But science has created new forms of record and these will become an increasing part of the Public Library's stock, including print in reduced form for compact storage and transport, films, slides, gramophone records, audio and video tape, for adults and children, with the necessary equipment for individual use and for cultural activities".

How do these thoughts find expression in the library legislation of the individual countries? Have audio-visual materials been accepted as relevant to the libraries? Do actual examples exist of such materials being considered as ranking equally with printed materials? The following is an attempt to evaluate both the manner in which AV is treated in some existing public libraries acts, and the way it should be treated in relation to printed materials. A general consideration of the principal question, the benefit of having a public libraries act at all, belongs under other contexts and shall not be considered here.

There has been no opportunity to make a world-wide study. The inquiry made by IFLA's AV-Working Group in 1976 did not cover questions concerning legislation. However, according to Frank M. Gardner [1], the situation is the following:

"Very rarely in the legislation has an attempt been made to define what the public library should provide. In Finland, expenditure ranking for grants includes the cost of hiring and purchasing films, records and audio-visual equipment. In the United Kingdom, the Act states "securing ... that facilities

are available for the borrowing of, or reference to, books and other printed matter, and pictures, gramophone records, films and other materials ...". The British Act also specifically authorizes the use of library premises for meetings and exhibitions, film shows, musical performances and the holding of other events of a cultural nature.

"Though there is a lack of definition in other legislation, there is no record of specific prohibition, and local authorities, in their interpretation of what a public library should provide, are not unduly limited".

It may be added that a decree in the GDR from 1968 emphasizes that the function of the libraries consists in collecting and providing books, periodicals, scores, audio-visual documents and materials within all areas of knowledge for purposes of research and education, in business, information and leisure (Isolde Unger [2]).

Further it may be mentioned that the Dutch Public Libraries Act of 1975 defines a public library as "a library that is provided for and accessible to the public, in which culturally representative collections of books, newspapers, periodicals and audio-visual material of current interest are available".

On this background, the following will take its point of departure in Northern, primarily Danish, conditions. Sweden is not mentioned, since it does not have a public libraries act. In so far as Iceland is concerned, it may be mentioned that a new act was adopted in 1976, directing the libraries "to make audio-visual materials available to the borrowers, such as gramophone records, audio-tapes, and other informative and recreational materials".

Denmark

The present Danish Public Libraries Act came into force on 1 April 1965. According to this Act each municipality either alone or in association with other municipalities is required to maintain a public library with a department for children as well as one for adults. The State extends a grant in proportion to the library's total expenses.

In this Act, legislation has been provided for the first time concerning the Danish public libraries providing audio-visual materials.

It was a natural consequence of the development that the Danish public libraries began to work with audio-visual equipment. The instruction on all levels made use to an increasing extent of other informational materials besides the printed word, and in several other countries the libraries had started to supply films, gramophone records, etc., in recognition of the significance of such material for the realization of the public libraries' object: to provide information and artistic experiences.

Film was the AV-material with which the Danish libraries first began to work, and as early as in 1956 State aid was provided for the procurement and maintenance of film projectors and microfilm readers.

Gradually also the thought of using gramophone records and tapes in the libraries gained acceptance. This applied to informative materials (speech records, bird voices, etc.) as well as music-carrying materials. It was found reasonable to place the music on a par with the literature by making it possible for people to listen to records at the library and/or being able to take out records.

Early in the sixties a couple of Danish public libraries offered their public the opportunity of listening to music records through earphones. (The lending of records, on the other hand, was not started by a library until 1 April 1965).

But it required an amendment to the Act if State aid were to be granted for the formation and running of such music collections. Through a resolution the Association of Danish Music Librarians called upon the Ministry to seek an amendment to the Act at the earliest opportunity. The resolution received support from a great number of music training associations and institutions, including the Danish folk music schools, several singing-master societies, and the academies of music.

The time was now ready for the Minister of Culture being able in January of 1964 to introduce a public libraries bill, which also covered AV-materials. On the whole, the reading of the bill in the Folketing was favourable to the new materials. There were pleadings, of course, expressing concern about the financial aspects, and great importance was attached to materials of a serious quality only being procured.

Applicable provisions regarding AV in the public libraries

As mentioned, the Act entered into force on 1 April 1965, and it was followed up by amplifying directives and circulars.

In the provisions of the Act it is established that the object of the public libraries is to encourage knowledge, education and culture by making books and other suitable materials available free of charge. This objective shall be fulfilled through quality, comprehensiveness and topicality in the selection of the material the public libraries make available.

"Other suitable materials", according to these provisions, include audio-visual materials, such as gramophone records, films, audio and video tape, slides, original art, and others, and the apparatus necessary to utilize such materials.

The libraries are under no obligation to procure audio-visual materials. But if they do procure them, such materials are in principle of the same standing as book material. State aid, for example, is granted for the expenses, and the stipulations that quality, comprehensiveness and topicality must be taken into account in the selection of the materials apply to printed as well as audio-visual materials.

Certain limitations exist, however, in the audio-visual collections' equality with books. The book collections of the libraries for adults and children must be built up in accordance with the guiding standards which were established in 1966, before the library can receive State aid for the purchase of AV-materials. But it has never been necessary to decline State aid inasmuch as the book collections very quickly satisfied the standards. In a few cases the State Inspection of Public Libraries has nevertheless had to negotiate with the municipality in question concerning the preparation of a formation budget for book collections before State aid could be granted. Another limitation is that the audio-visual collections do not enter into the interurban lending activity. Thus the county library is also not under obligation to lend AV-materials to the libraries of the area or other libraries. Finally, these materials are not as yet covered under the free borrowing rights (i.e. that any person registered with a Danish National Register may borrow books from any public library in the country).

Significance of the legal provisions to the development

It has undoubtedly been of great significance to the development of audio-visual materials at the public libraries that the Public Libraries Act contains provisions concerning such materials. Even though the libraries are under no obligation to build up AV-collections, the establishment of musical record and tape collections has been relatively quick after the effective date of the Act,

although to a greatly varying extent, from large independent music departments to small, modest corners. During the last three years, talking books have been procured to a relatively large extent.

Films are purchased by only a few public libraries, and to a very limited extent. The libraries, however, borrow films partly for their own use, and partly for reloans from centralized collections, primarily from the Danish Government Film Office, concerning which a law has been made in the Film and Cinema Act.

Other AV-materials, such as slides and media kits, are also procured to a modest extent, which may be due to the fact that the major part of the informative materials being issued is educational material, and that aside from this the explosive development of the market expected some years ago has not taken place. For the informative materials, contrary to the music area, it holds true that one is dependent upon their being provided with Danish speech and/or text.

First and foremost it has been of significance to the development, especially during the first ten years following the effective date of the Act, that the municipalities can receive Government subsidy on expenses for this library function in line with other library activities.

The provisions of the Act have further meant that the Inspection of Public Libraries has been able to employ a library adviser, whose task it is to work with the supplying of the audio-visual materials through the public libraries, i.e. to advise libraries and municipalities on statutory and administrative conditions, collect and pass on information, set up committees and working groups for the solution of problems associated with the procurement (such as AV in general, on talking books, on films). Also The Royal School of Librarianship has followed up the Act by providing the students with instruction on the evaluation and application of audio-visual materials.

Lack of legal provisions

Many libraries have in the course of time been in search of guiding principles (standards) for building up their collections. On the other hand, many have been opposed to the preparation of standards at too early a moment, fearing that minimum standards would become maximum standards.

As the development has progressed, there has been an increasing desire from various quarters for the public libraries being under obligation to procure AV-materials in order thus to ensure that the entire population would gain access to these materials. On the part of the librarians, as well as politically, proposals have been advanced in connection with the commission work just completed concerning such an obligation under the future Public Libraries Act. The procurement of music records and tapes, however, is not proposed to become obligatory until the beginning of 1984 (three years after the anticipated effective date of the Act).

It should be mentioned, incidentally, that the terminology has changed somewhat relative to the 1964 Act (see page 3), Av-materials now being in agreement with the Standards for Public Libraries, issued by IFLA, 1973, defined as "materials which require equipment for listening or for viewing". Audio-visual collections are understood to mean, in addition to the materials mentioned, also the apparatus which must be procured for the presentation of the materials. Art is thus no longer defined as an audio-visual material, and it is not proposed by the Library Commission as obligatory material.

A recommendation from the Library Commission, however, is not a law. A vigorous debate may be expected in the Folketing concerning these materials when a motion

for an amendment of the Public Libraries Act is introduced. During the 70ies several amendment proposals have been prepared which, however, because of a change of government, only managed to go through the first reading in the Folketing. In all recommendations - in spite of changing governments of varying political observances - it had been proposed that it should be obligatory for the libraries to build up and lend AV-collections. In the latest bill introduced, it had been suggested that the local authority could decide whether or not the public library should lend out AV-materials and apparatus.

In connection with the further deliberation in the Folketing of the bills which got that far, the legitimacy in the public libraries of the AV-materials, primarily the music-carrying materials, was vigorously debated. Also in the press and at meetings, the reasonableness has been questioned during the economy debates in recent years of why music records and tapes should be lent free of charge by the libraries, or why the libraries should have such materials at all.

Norway:

The Norwegian Libraries Act (in force as from 1 January 1972) states that the object of the public libraries shall be the advancement of knowledge, education and other cultural activities by making books and other suitable materials available to everybody living in the country.

It is provided by law that expenses for audio-visual materials, such as gramophone records, films, microfilms, filmstrips, sound and video tapes, and slides shall be entitled to State subsidy. The purchase of apparatus, however, is not entitled to subsidy.

Also graphic art is entitled to grants, but this presumes that purchases of such materials are not made at the expense of necessary book purchases and other purchases which the libraries are under obligation to make.

It is considered as important for a public library, which is to serve as a county library, to have a large and diversified book selection and other suitable materials.

The county library shall primarily lend out books. Other suitable materials will be gradually lent out as the collections become sufficiently enlarged. The State Inspection of Public Libraries has prepared general guidance for the procurement of AV-media and apparatus.

As to the significance of the Norwegian library legislation to the development where AV in the public libraries is concerned, a representative for the Norwegian Inspection of Public Libraries believes that: "It lies primarily in the fact that AV-materials are placed on an equal footing with printed material, and thus in principle falls under the State system of reimbursement. In practice, it is nevertheless largely the municipalities alone which manage the grants for AV-materials, reimbursement from the State being granted only for a certain amount per inhabitant, regardless of how much the municipality allows. The maximum basis of reimbursement is established by the Storting at the budget deliberations each year. And those libraries which have available only the amount entitled to reimbursement for books and materials will not have the funds for the purchase of AV. If the library is to work with AV-materials, the municipality will therefore have to grant funds on which it does not receive reimbursement.

"But quite generally, from the standpoint of library policy, the Public Libraries Act has undoubtedly been of significance in this sphere. Briefly, what is lacking is money, and one might wish for a considerable increase in State reimbursements so that they would also in actual fact cover AV-materials. It would be appropriate,

however, for the Storting to have the opportunity to deal with this problem every year, and for the State reimbursement not to be tied up by the wording of the Statute.

The Act authorizes the State Inspection of Public Libraries to draft detailed standards and principles, but so far we have not found it correct to do so, among others because of the economic situation, and because so many libraries still do not possess a book stock which meets the standards".

Finland

The Finnish Libraries Act, which entered into force in 1962, is a State subsidy act. It is not obligatory for a Finnish municipality to establish a library, but already before 1962 all municipalities had done so on a voluntary basis. State aid is not granted on all of the library's expenses, and the Act imposes certain conditions for the receipt of subsidies, primarily that the use of the library must be free of charge.

Among the expenses entitled to State subsidy are expenses for "the acquisition and lending of microfilms and the respective reading equipment, of educational films and other audio-visual equipment".

The State issues instructions on the extent of materials entitled to State subsidies. If audio-visual equipment is procured beyond the amount authorized under the directives, it is the municipalities' own expense. (Marjatta Lehtinen [3]).

Basic considerations concerning AV in the legislation

Both information and artistic and recreational experiences are provided to an increasing extent through sound and picture-carrying media. The blind, and others with reading handicaps, have a requirement for audio-visual materials of various types. It is reasonable for the public to be given the same access to such materials as to books - and on the same terms. The audio-visual materials must rank equally with the printed material at the libraries, and this should find expression in the public library legislation. I believe that Mr. Campbell [4] is correct in stating "that local public library activities and services to the public need to be backed by adequate legislation if they are to have maximum effect". This is true especially of the countries which have not as yet developed a "highly organized, advanced and affluent society where education is no longer a privilege, where access to knowledge is a basic right, and where finance is no longer a barrier to the provision of cultural services as a communal, not a private enterprise". (Gardner [1], section on Sweden).

An equality implies that a library is under obligation to provide AV-materials to children as well as adults, either by the library building up its own collections or by borrowing from joint collections, regional or central collections. It further implies that all materials are selected in accordance with the same criteria, and supplied in the same manner as printed material, i.e. both for lending out and for use in the library. Equality also means that State subsidy is granted for the procurement and running of the collections, (if State subsidy is otherwise granted), that lending must be free of charge, that AV-collections can be used under expert guidance throughout the opening hours of the library and in all departments, branches, etc., and that they enter into the information activity, into the outreach work and into the co-ordinating activity, cultural activities, contact work and Public Relation-activities. The collections must finally be covered by rules on the free borrowing rights (if it otherwise exists for printed material).

The scope and degree of specialization of the collections of the individual library must be dependent, as for the printed material, upon the extent and nature of the library's area of activity, and superstructures must exist on a regional and national basis, from which more rarely used as well as older and sold out material may be borrowed.

Copyrights

It should be mentioned in this context that the full utilization of a number of materials runs into obstacles as a result of the copyright legislation. It is not here my aim to enter further into this subject, but only to point out that these problems should be solved through changes in the international as well as the national copyright legislation, or by agreements with the originators so that all types of material for the procurement of publications, pictures, sound and combinations thereof may be made freely available through the public libraries.

SCHOOL LIBRARIES

As far as school libraries and legal provisions concerning audio-visual materials are concerned, my experience is limited to Danish conditions exclusively.

The provisions concerning Danish school libraries in the primary schools are included in the Public Libraries Act. Administratively, the school libraries belong under the primary schools and the Ministry of Education, but State grants are conditional upon cooperation with the public libraries. Although the municipalities are under no such obligation, school libraries have today been established in all primary schools.

Under the legal provisions, the school libraries, in addition to printed materials, can procure other suitable library materials with State aid. This presumes, however, that the book stock in the school libraries of the municipalities is built up in accordance with the applicable standards at all times. The standards at present were prepared in 1966. During the first years following the coming into force of the Act, also the book stock of the public libraries were to be extended before the school libraries were allowed to purchase AV-materials with State aid.

The categories of materials, other than books, which the school libraries may purchase with State aid are narrowly defined. They are slides, filmstrips, films including loop films, transparencies for overhead projectors, material for flannel plates, tapes, as well as gramophone records and art reproductions. If the school libraries wish to buy other audio-visual materials with State aid, an application therefor must be submitted to the Ministry of Education. For copyright reasons the purchase of video material had been previously refused.

Equipment, such as diascopes, film projectors, record players, tape recorders, overhead projectors, loop film projectors and other similar apparatus cannot be procured with State aid under the rules referred to.

The building up of AV-collections by the local school libraries must be coordinated with the superstructures which are found on the county level (Regional Centres for Educational Media) and on a national level (National Institute for Educational Media).

The Regional Centres for Educational Media have been agreed, among others:

To ensure that information about educational material is given to teachers,etc., in the region - including advice and guidance - on the basis of the collection of education media in the regional centre,

to lend materials to the regional schools or other teaching institutions,

to offer technical support to teachers in the region on the production of their own educational materials.

The Regional Centres Act presumes a division of responsibilities between the Regional Centres and the county libraries with a view to functioning together as superstructures for public libraries as well as school libraries.

In so far as AV-materials are concerned the co-operation is complicated by the public libraries/county libraries having been organized very differently in this area, and by the public libraries/county libraries being under no obligation to lend out such material beyond the limits of their own municipalities, but primarily by the fact that the public libraries are not under obligation to procure AV-materials.

In the interest of co-operation with the Regional Centres for Educational Media it is thus of importance also that the purchase of AV-materials be made compulsory for the public libraries through the law revision, and being placed on a par in every respect with printed materials.

The National Institute for Educational Media Act

came into force on 1 April 1974. In accordance with this Act, the Institute's functions among others cover the following:

To provide information about the production and supply of educational media,

to act as co-ordinator between the producers and users of educational media,

to negotiate with Radio Denmark, the Danish Government Film Office or other producers on the acquisition of materials for educational purposes, and in certain cases to undertake or support the acquisition of other educational media,

to distribute films, audio-tapes, etc., to schools and other educational institutions,

to distribute materials to the regional centre collections.

Also the services of the National Institute shall be available to the public libraries.

Even though they have no legal status, two reports should be mentioned in this connection which in practice have had a strongly promotional effect upon the development: Report on Standards for the School Library Sector, 1973, and Report Relating to Educational Workshop, 1975. Both reports have been issued by the School Library Association of Denmark.

Significance of the legal provisions to the development

The legal provisions on AV in the Danish school libraries have been of significance primarily in two respects: The audio-visual materials were defined as part of the school library system, they could be purchased with government subsidy, and the processing of the materials were to be made in accordance with the technique applied by the library system. This has meant a stimulation of the purchases for the school world, and the assurance of the materials being made subject to an administration so that they could be utilized effectively and with guidance from school librarians, whose training at

the Royal Danish School of Educational Studies also includes the supplying and application of the AV-materials in the educational context.

References

1. Gardner, Frank M.: Public Library Legislation, a comparative study. Paris, UNESCO, 1979.

2. Unger, Isolde: Zur Bibliotheksarbeit mit audiovisuellen Materialien. Berlin, Zentralinstitut für Bibliothekswesen, 1971.

3. Lehtinen, Marjatta: The Economic Resources in Finland of The Public Library System. Scandinavian Public Library Quarterly, vol. 9, No. 2, 1976, p. 40-47.

4. Campbell, H.C.: Public Library Legislation at Local and State Level. IFLA Council 1979.